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5 Counsel for Defendant MEJIA GUTIERREZ

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12  
Plaintiff,

13 v.  
14

15 JOSE MEJIA-GUTIERREZ,  
16  
Defendant.  
17

)  
) No. CR 08-00484 DLJ

)  
) STIPULATION AND  
) ORDER CONTINUING SENTENCING  
) DATE  
)

18  
19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the sentencing  
20 date in this case, previously set for November 7, 2008 at 10:00 a.m., before Honorable Judge D.  
21 Lowell Jensen may be continued to November 21, 2008, at 10:00 a.m. for sentencing. The reason  
22 for the request is that the defense counsel needs additional time to review the presentence report with  
23 Mr. Mejia-Gutierrez with the assistance of an interpreter. Mr. Mejia-Gutierrez is currently housed at  
24 the Federal Detention Center in Dublin, California and counsel was unable to meet with him with the  
25 assistance of an interpreter prior to Friday's appearance. Counsel is setting up the interview for next  
26

1 week. In addition, defense counsel spoke with United States Probation Officer Jessica Goldsberry who is unavailable should the matter be continued one week to November 14, 2008, but is available on November 21, 2008 should the matter be continued to that date.

DATED: November 15, 2008

/s/

JOYCE LEAVITT

Assistant Federal Public Defender

DATED: November 15, 2008

/s/

JAMES MANN

Assistant United States Attorney

I hereby attest that I have on file all holographed signatures for any signatures indicated by a conformed signature (/s/) within this e-filed document.

## ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the sentencing date in this case, previously set for November 7, 2008 at 10:00 a.m., before Honorable Judge D. Lowell Jensen may be continued to **November 21, 2008, at 10:00 a.m.**

SO ORDERED.

DATED: November 5, 2008



D. LOWELL JENSEN

United States District Judge